

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:  
Harmon L. Fields,  
Debtor.

Chapter 7  
Case No. 05-15679 (REG)

**DECLARATION OF HARMON L. FIELDS IN SUPPORT OF MOTION TO REOPEN  
CHAPTER 7 BANKRUPTCY CASE**

I, Harmon L. Fields, being duly sworn, state the following under penalty of perjury:

1. I submit this Declaration in support of the motion for entry of an order reopening the above-captioned bankruptcy case. I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would testify competently thereto.

2. I graduated college in 1965 and thereafter worked in a variety of fields, including social work and education. I enrolled in Brooklyn Law School in September of 1999 and graduated in June of 2002. I passed the bar exam in July 2002 and obtained my NY State Bar license in February 2003.

3. I filed for chapter 7 bankruptcy on July 25, 2005. I received a discharge on December 2, 2005 and my case was closed on December 6, 2005.

4. Since receiving my chapter 7 discharge, I have not incurred any additional secured or unsecured debt, nor have I acquired any new assets that I understand would not otherwise be exempt under the Bankruptcy Code.

5. I currently owe \$57,018.83 on my federal student loan and \$99,492.55 on my private student loans. My loans are held by Access Group and serviced by ACS.

6. I listed my student loan obligations on my 2005 petition, but I did not seek to discharge that debt at that time. I did not seek to discharge that debt, because I believed that my annual income would increase as I built my career as an attorney. I continued to make my monthly

student loan payments after my bankruptcy case closed and I did not default on those payments until August of 2016.

7. In 2005 I was earning approximately \$50,000 per year as an attorney at Levy, Davis & Maher, LLP. I lost my job at Levy, Davis & Maher, LLP in September 2010.

8. Following six months of unemployment, I found a job as a document review attorney in March 2011. I currently receive \$28/hour, but am not allowed to work more than 40 hours/week. My jobs are unpredictable and document review work is not always guaranteed. I also started receiving \$1,725/month in social security benefits in June 2009.

9. A breakdown of my gross income for the past three years is as follows:

| Year             | Social Security | Wages    | Unemployment | Gross Total | Net Total |
|------------------|-----------------|----------|--------------|-------------|-----------|
| 2014             | \$25,038        | \$62,352 | \$810        | \$88,200    | \$67,503  |
| 2015             | \$25,606        | \$32,121 | \$9,305      | \$67,032    | \$51,838  |
| 2016 (to Aug. 1) | \$12,809        | \$21,500 | n/a          | \$34,309    | \$28,614  |

I believe that I will receive an additional \$23,000 by end of this year.

10. My total monthly expenses are as follows:

| EXPENSE   | AMOUNT  |
|---|---------|
| Rent  | \$1,588 |
| Property, homeowner's, or renter's insurance          | \$8     |
| Home maintenance, repair, and upkeep expenses         | n/a     |
| Homeowner's association or condominium dues           | n/a     |
| Electricity, heat, natural gas                        | \$40    |
| Water, sewer, garbage collection                      | n/a     |
| Telephone, cell phone, Internet, satellite, and cable | \$122   |
| Food and housekeeping supplies                        | \$800   |
| Childcare and children's education costs              | n/a     |
| Clothing, laundry, and dry cleaning                   | \$50    |
| Personal care, products and services                  | \$50    |
| Medical and dental expenses                           | \$650   |
| Transportation (not including car payments)           | \$55    |
| Entertainment, clubs, recreation                      | \$120   |
| Charitable contributions and religious donations      | \$40    |
| Life insurance  | n/a     |
| Health insurance                                      | \$385   |
| Vehicle insurance                                     | n/a     |
| Taxes (not deducted from pay)                         | n/a     |

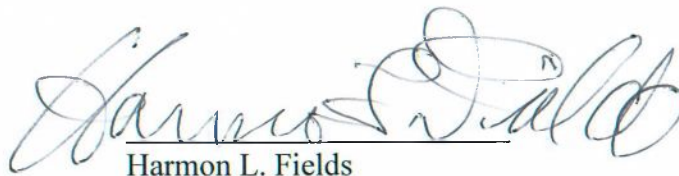
| EXPENSE                                   | AMOUNT         |
|---|----------------|
| Car payments                              | n/a            |
| Alimony, maintenance and support payments | n/a            |
| Other (Student Loans)                     | \$1,557        |
| <b>TOTAL</b>                              | <b>\$5,465</b> |

11. In the fall of 2015, my monthly payments on my federal and private student loans increased to \$195 per month and \$1,362 per month, respectively. In the fall of 2015, I therefore contacted Access Group to ask whether it would be possible to adjust the amount of my monthly student loan repayments. Access Group said no.

12. I continued to contact Access Group on a monthly basis to inquire as to whether I could work something out with them. Access Group continued to tell me that there was nothing they could do. I spoke to both Access Group representatives and Supervisors in my quest to lower my monthly payments.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 23, 2016  
New York, New York

  
Harmon L. Fields